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INTELLECTUAL PROPERTY LAW

400 GARDEN CITY PLAZA  
SUITE 300  
GARDEN CITY, NY 11530  
516-742-4343  
FAX: 516-742-4366  
E-MAIL: INTPROP@SSMP.COM  
WWW.SSMP.COM

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LEOPOLD PRESSER  
FRANK S. DIGIGLIO  
PAUL J. ESATTO, JR.  
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EUNHEE PARK  
MICHAEL A. PETROCELLI  
KATHERINE R. VIEYRA<sup>o</sup>  
JOHN F. VODOPIA  
SETH M. WEINFELD  
KEITH A. WELTSCH<sup>\*</sup>  
ZHUANG YUAN<sup>^</sup>

PATENT AGENTS  
LESLIE S. SZIVOS, PH.D.  
BYEONGJU PARK, PH.D.

COUNSEL  
BARRY M. KRIVISKY  
ALLEN R. MORGANSTERN  
ALEK P. SZECSY  
STEPHEN A. YOUNG

TECHNICAL CONSULTANTS  
DOMINICK A. TUCCIO  
HESONG CAO

RETIRED  
JOHN F. SCULLY  
STEPHEN D. MURPHY

ANTHONY C. SCOTT  
1931-1994

<sup>o</sup>OH BAR ONLY  
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<sup>^</sup>CT BAR ONLY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: USSN: 10/549,557  
Sandra Ebert, et al.  
Our Docket: 19181

Dear Sirs:

The Filing Receipt for the above-identified patent application does not include the Assignment for Published Patent and Applicant Michel Uwe's name is incorrect. It should read as follows:

**Assignment for Published Patent Application  
Monash University of Clayton, Victoria Australia; and Georg-  
August University of Gottingen, Germany**

**Applicant: Michel Uwe Gottingen, Germany**

as indicated on the enclosed pages. Please make the corrections and send us a corrected Filing Receipt.

Very truly yours,

Scully, Scott, Murphy & Presser, P.C.



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/549,557	10/02/2006	1645	4490	19181	12	70	6

**CONFIRMATION NO. 4680**

23389  
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400 GARDEN CITY PLAZA  
SUITE 300  
GARDEN CITY, NY 11530

**FILING RECEIPT**



\*OC000000021505866\*

Date Mailed: 12/07/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Sandra Ebert, Gottingen, GERMANY;  
Michael Uwe, Gottingen, GERMANY;  
Roland Nau, Bovenden-Eddigehausen, GERMANY;  
David Morritz De Kretser, Victoria, AUSTRALIA;  
David James Phillips, Victoria, AUSTRALIA;

**Power of Attorney:** The patent practitioners associated with Customer Number 23389.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/AU04/00350 03/19/2004

**Foreign Applications**

AUSTRALIA 2003901267 03/19/2003

**If Required, Foreign Filing License Granted:** 12/06/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/549,557**

**Projected Publication Date:** 03/15/2007

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Assessment method

**Preliminary Class**

435

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Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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19181

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/AU2004/000350INTERNATIONAL FILING DATE  
19 March 2004 (19.03.2004)PRIORITY DATE CLAIMED  
19 March 2003 (19.03.2003)TITLE OF INVENTION  
ASSESSMENT METHOD

APPLICANT(S) FOR DO/EO/US

Sandra Ebert, Michael Uwe, Roland Nau, David Morritz DeKretser and David James Phillips

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)):
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 657314436 US
23. ☒ Other items or information:

Courtesy copy of International Application

Twelve (12) Sheets of Drawings

Assignees: MONASH UNIVERSITY of Clayton, Victoria Australia; and  
GEORG-AUGUST UNIVERSITY of Gottingen, Germany.

# Declaration and Power of Attorney For Patent Application

## English Language Declaration



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Assessment method

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on 19 March 2004 as United States Application No. or PCT International Application Number PCT/AU2004/000350

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

<u>2003901267</u>	<u>Australia</u>	<u>19 March 2003</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
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(Number)	(Country)	(Day/Month/Year Filed)	

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Frank S. DiGiglio; Reg. No. 31,346

Leopold Presser; Reg. No. 19,827

William C. Roch; Reg. No. 24,972

Kenneth L. King; Reg. No. 24,223

Edward W. Grolz; Reg. No. 33,705

Paul J. Esatto, Jr.; Reg. No. 30,749

John S. Sensny; Reg. No. 28,757

Mark J. Cohen; Reg. No. 32,211

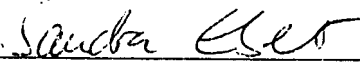
Richard L. Catania; 32,608

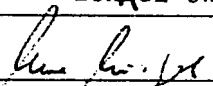
Steven Fischman; Reg. No. 34,594

Peter I. Bernstein; Reg. No. 43,497

Send Correspondence to: Leopold Presser  
SCULLY, SCOTT, MURPHY & PRESSER  
400 Garden City Plaza  
Garden City, NY 11530

Direct Telephone Calls to: (name and telephone number)  
Leopold Presser (516) 742-4343

Full name of sole or first inventor	Sandra EBERT	
Sole or first inventor's signature		Date 12.12.05
Residence	Gottingen, Germany	
Citizenship	Germany	
Post Office Address	Gosslerstr. 29, 37075 Gottingen, Germany	

Full name of second inventor, if any	Michael UWE	
Second inventor's signature		Date 12-11-05
Residence	Gottingen, Germany	
Citizenship	Germany	
Post Office Address	Otto-Laufer-Str. 2, 37077 Gottingen, Germany	